

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                   |   |                    |
|-----------------------------------|---|--------------------|
| -----                             | X |                    |
|                                   | : |                    |
| XYZ CORP.,                        | : |                    |
|                                   | : |                    |
| Plaintiff,                        | : |                    |
|                                   | : | 24 Civ. 1962 (LGS) |
| -against-                         | : |                    |
|                                   | : | <u>ORDER</u>       |
| THE INDIVIDUALS, PARTNERSHIPS AND | : |                    |
| UNINCORPORATED ASSOCIATIONS       | : |                    |
| IDENTIFIED IN SCHEDULE A,         | : |                    |
| Defendants.                       | : |                    |
|                                   | : |                    |
| -----                             | X |                    |

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on March 15, 2024, Plaintiff initiated this action against 107 Defendants, alleging that Defendants are infringing Plaintiff’s trademark for its artwork. On March 15, 2024, Plaintiff moved *ex parte* for a temporary restraining order; an order restraining Defendants’ online storefronts and certain assets; an order authorizing bifurcated service; an order authorizing expedited discovery; an order to show cause why a preliminary injunction should not issue and an extension of the temporary sealing order allowing Plaintiff to proceed under a pseudonym and to file the application under temporary seal (the “TRO Application”);

WHEREAS, on March 18, 2024, the Court entered an Order (the “TRO Order”) granting Plaintiff’s TRO Application and ordering Defendants to appear at a hearing on April 3, 2024, to show cause why a preliminary injunction should not issue (“Show Cause Hearing”);

WHEREAS, on April 1, 2024, the Show Cause Hearing was adjourned to April 17, 2024, and on April 16, 2024, the Show Cause Hearing was adjourned to April 24, 2024;

WHEREAS, Plaintiff appeared through counsel for the Show Cause Hearing. Three individuals appeared on behalf of certain corporate Defendants, but none appeared through counsel. The Show

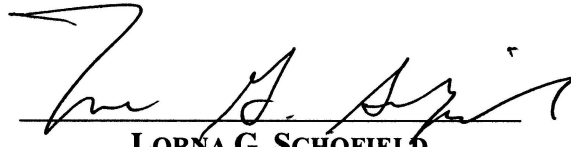
Cause Hearing was adjourned to enable those Defendants to obtain counsel and / or resolve the matter with Plaintiff;

WHEREAS, a corporation, which is an artificial entity, may appear in federal court only through a licensed attorney and may not appear pro se. *See* 28 U.S.C. § 1654; *Rowland v. California Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 202 (1993); *U.S. ex rel. Mergent Servs. v. Flaherty*, 540 F.3d 89, 92 (2d Cir. 2008). It is hereby

**ORDERED** that Plaintiff shall confer with the three Defendants for whom individuals appeared and file a status letter by May 1, 2024, describing the progress of those discussions. Defendants are advised that, in order to appear in this case, they must retain counsel. It is further

**ORDERED** that the Show Cause Hearing is adjourned to **May 15, 2024, at 3:50 P.M.** By **May 3, 2024**, Plaintiff shall serve a copy of this Order and all prior orders on the remaining Defendants, via the same means as each Defendant was served with the complaint. Plaintiff shall file a certificate of service no later than **May 4, 2024**.

Dated: April 26, 2024  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**